

MINUTES OF THE CANANDAIGUA CITY
COUNCIL MEETING
THURSDAY, OCTOBER 1, 2015 7:00 P.M.
City Council Chambers
City Website: canandaiguanewyork.gov

Mayor Polimeni called the meeting to order at 7:00 PM

Pledge of Allegiance:

Roll Call:

Members Present:

Councilmember Ward 1 Nick Cutri
Councilmember Ward 3 Karen White
Councilmember-at-Large Donna Cator
Councilmember-at-Large James Terwilliger
Councilmember-at-Large David Whitcomb
Mayor Ellen Polimeni

Members Absent:

Councilmember Ward 2 Ian Boni
Councilmember Ward 4 Cindy Wade (Arrived at 7:30 PM)
Councilmember-at-Large Maria Bucci

Also Present:

City Manager David R. Forrest
Corporation Counsel Michele O. Smith
City Clerk-Treasurer Nancy C. Abdallah
Assistant City Manager John D. Goodwin

Review Core Values: Councilmember Ward 3 White read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes: Councilmember-at-Large Terwilliger moved for the approval of the Council Minutes of September 3, 2015. Councilmember Ward 1 Cutri seconded the motion.

Vote Result: Carried unanimously by voice vote. (6-0)

Public Hearings:

Ordinance 2015-007: An Ordinance Amending Chapter 850 of the Municipal code to Rescind the Historic Designation of 395 North Main Street.

Mayor Polimeni opened the public hearing at 7:03 PM

No one was present to speak on this Ordinance.

Mayor Polimeni closed the public hearing at 7:03 PM

Recognition of Guests:

- Kevin Olvany, Watershed Manager, spoke about the blue-green algae in the lake during the month of September. Canandaigua has never experienced this level of algae that closed the public beaches. Two experts will speak on this subject on October 20th at the Canandaigua Middle School at 7:00 PM. Will be investigating the multiple reasons why this happened and will be setting a course of action in the Watershed Management Plan.

- Mike Yarger, property owner on Main Street, requested that the Council adopt a “Taxpayer Bill of Rights” which would include no tax breaks, no PILOTs or PIFs. Also the City should have electronic freedom of information and minutes for committee meetings posted on line.
- Jack Chambers, Cayuga Rd, Canandaigua, agrees with all the issues raised by Mike Yarger.
- Gary Dixon, Canandaigua, wants to know the Council’s position on providing public support for the tax project. Mayor Polimeni explained that we have not received any proposal for the hotel and Councilmember-at-Large Terwilliger explained that the PILOTs are implemented by the IDA and not by the City Council.
- Joe Naaca, Canandaigua, City Council should try to change the process and obtain veto power over PILOTS given by the IDA. PILOTs were meant for non-profits and academic institutions as a way to voluntarily pay for services because they were exempt. It was never meant to give a tax break to for-profit enterprises.
- Gretchen Hoekelman, Hubble St., Canandaigua, was concerned about the removal of the willow trees at Kershaw Park and the lack of responsiveness to the concerns of the public and informing the public of issues.
- Mayor Polimeni stated that there is an active Tree Advisory Board in the City of Canandaigua who meets monthly. They met at Kershaw and discussed the issue of the trees at Kershaw. Many members of the Tree Committee were in attendance at the Council meeting and gave insights into this issue.

Committee Reports:

Environmental: Councilmember Ward 1 Cutri reported that the Environmental Committee met on September 8th and discussed the following.

SEE COMMITTEE NOTES - APPENDIX A

1. Special Event – Canandaigua Lake Festival of the Arts
2. Proposed Expansion of Skate Board Park – tabled to next meeting
3. Parks Master Plan

Planned Unit Development No Meeting

Ordinance: Ordinance Committee was cancelled.

Finance: Councilmember-at-Large Terwilliger reported that the Ordinance Committee met on September 22nd and discussed the following:

SEE COMMITTEE NOTES - APPENDIX B

1. Municipal cooperation Agreement with the School District for Provision of Fire Safety and Prevention Education
2. Recycling Dumpsters at Holiday Harbor and Brigham Hall – this item was deferred
3. Discussion of Budget Options for 2016
4. Overtime Report
5. Small Cell Technology

Planning: No meeting

Resolutions:

Resolution #2015-080:

Moved: Councilmember Ward 1 Cutri
Seconded: Councilmember Ward 4 Wade

A RESOLUTION AUTHORIZING A SPECIAL EVENT
Canandaigua Lake Festival of the Arts

WHEREAS, the City Council of the City of Canandaigua has received the following application for a special event in the City of Canandaigua:

- ***Canandaigua Lake Festival of the Arts***
 - Date: July 30 & 31, 2016
 - Location: Kershaw Park
 - Coordinator: Beau Productions
 - Time: 10:00 a.m. – 5:00 p.m.
 - Set-Up Time: July 29, 9:00 a.m. – 9:00 p.m.
 - Purpose: Art Show
 - Expected Number of Participants: 5,000

WHEREAS, this request was reviewed and approved at the September 8, 2015 Environmental Committee meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Canandaigua that permission is granted to hold the abovementioned special event at the time and location listed under the following conditions:

- 1) that no fee or admission shall be charged to the general public for admission to the special event; and
- 2) that alcoholic beverages are not permitted to be sold or consumed on public property; and
- 3) that if the event coordinator intends to place any signs in the Main Street median, such signs shall only be allowed by permit of New York State Department of Transportation; and
- 4) that the event coordinator will ensure that all tents that are required to be inspected will be inspected prior to the start of the special event; and
- 5) that a detailed summary of all costs under the City's special event policy will be provided to the event coordinators for reimbursement.

BE IT FURTHER RESOLVED that the organizer of the special event shall adhere to any regulations that the City Manager, or the City Police Department, shall establish to insure the health and safety of Canandaigua residents and visitors throughout these events.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Cator, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2015-081:

Moved: Councilmember Ward 3 White
Seconded: Councilmember Ward 4 Wade

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-MUNICIPAL AGREEMENT WITH THE CANANDAIGUA CITY SCHOOL DISTRICT

WHEREAS, for a number of years the City of Canandaigua Fire Department has conducted a Fire Safety and Prevention Education Program for the Canandaigua City School District to educate students to take precautions to prevent fires and how to survive fires that do occur; and

WHEREAS, the 2015 City of Canandaigua Adopted Budget was adopted with the intent to utilize a combination of volunteers and on-duty firefighters to conduct the Fire Safety and Prevention Education Program, which has previously been completed via volunteers and firefighters on overtime; and

WHEREAS, the budget constraints and the inability to attract volunteers have resulted in the review of the Fire Safety and Prevention Education Program for alternative funding sources and methods to deliver the program; and

WHEREAS, the City of Canandaigua and Canandaigua City School District entered into an inter-municipal agreement for the spring semester of the 2014-2015 school year and fall semester of the 2015-2016 school year with the associated overtime costs reimbursed by the school district and the educational materials provided by the City; and

WHEREAS, the City and School District desire to continue the Fire Safety and Prevention Education Program for the spring semester of the 2015-2016 school year and fall semester of the 2016-2017 school year through a successor IMA; and

WHEREAS, the IMA was reviewed at the September 22, 2015 Finance Committee meeting and received committee approval;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Canandaigua hereby authorizes the City Manager to execute an Inter-Municipal Cooperation Agreement, substantially in the same form as attached hereto, between the City of Canandaigua and the Canandaigua City School District

The motion CARRIED UNANIMOUSLY on the following vote:

***AYES:** Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Cator, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.*

***NOES:** None*

Ordinance:

Ordinance #2015-007: (Tabled at the September 1, 2015 Meeting)

**AN ORDINANCE AMENDING CHAPTER 850 OF THE MUNICIPAL CODE
TO RESCIND THE HISTORIC DESIGNATION OF 395 NORTH MAIN STREET**

Lift from the table:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 1 Cutri

Vote Result: Carried unanimously by voice vote. (7-0)

Vote on Ordinance:

Moved: Councilmember-at-Large Whitcomb
Seconded: Councilmember Ward 4 Wade

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Councilmember Ward 3 White, Councilmember Ward 4 Wade, Councilmember-at-Large Cator, Councilmember-at-Large Terwilliger, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Local Law: None

Manager's Report: City Manager David R. Forrest gave the following report:

- City has doubled the recycling efforts to ensure each ward is completed by the end of the day.
- Residents can drop off electronic devices for a fee at the Town Transfer station but will need to purchase a separate ticket at the Town.

Miscellaneous:

- Corporation Counsel Michele O. Smith talked about the NYCOM conference. This is a great resource and provides timely information on issues.

Executive Session:

Councilmember-at-Large Terwilliger moved to close the regular meeting to go into Executive Session at 8:10 PM to discuss the employment history of a particular person. Councilmember-at-Large Cator seconded the motion.

Vote Result: Carried unanimously by voice vote (7-0)

Regular Session:

Councilmember Ward 4 Wade moved to close the executive session and return to the regular meeting at 8:37 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (7-0).

Adjournment

Councilmember Ward 4 Wade moved to adjourn the regular session at 8:37 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (7-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
ENVIRONMENTAL COMMITTEE
Tuesday, September 8, 2015
7:00 p.m.
Hurley Building Conference Room

Committee: Nick Cutri, Chair; Maria Bucci, Donna Cator, Karen White

Other Council Members: Mayor Ellen Polimeni; Jim Terwilliger; Ian Boni; David Whitcomb; Cindy Wade

Staff: David Forrest; John D. Goodwin; Jim Sprague

Meeting called to order at 7:00 PM

1. Canandaigua Lake Festival of the Arts – Special Event Application for 2016
 - a. Jim LeBeau requested the Committee’s approval of the Canandaigua Lake Festival of the Arts for 2016;
 - i. Jim stated that the event went well this year with 56 artist vendors and that he enjoyed working with City staff
 - ii. Jim hopes that with more time to plan (only 5 weeks this year) that the show will double in size.
 - b. Motion made by Maria Bucci to approve the event, Seconded by Donna Cator
 - i. Motion approved by 4-0 vote
2. Proposed Expansion of the Skate Park
 - a. The local teenagers that are interested in expanding and improving the skate park were unable to attend the meeting due to football practice.
 - b. Item tabled was tabled.
3. Parks Master Plan
 - a. John Goodwin presented the draft Parks Inventory and Master Plan.
 - i. The draft is intended to be a conversation started for the community and will be placed on the City website with a notice on Facebook and press release sent to the Messenger Post.
 - ii. The proposed new amenities for each park were discussed as well as ideas for other amenities that were not listed in the draft.
 - iii. John will amend the draft to reflect the Committee’s comments prior to posting for public comment.
4. Karen White made a motion to enter into Executive Session to discuss the employment history of a particular person.
 - a. Seconded by Donna Cator

Meeting adjourned at 830 PM via motion by Donna Cator and 2nd by Karen White.

APPENDIX B
FINANCE COMMITTEE
Thursday, September 22, 2015
7:00 p.m.
Hurley Building Conference Room

Committee: James Terwilliger, Chairman; Cindy Wade; Karen White; **Absent:** Donna Cator

Other Council members: Mayor Ellen Polimeni; Maria Bucci; Nick Cutri;

Staff: David Forrest; John D. Goodwin; Nancy Abdallah

1. Municipal Cooperation Agreement with School District for Provision of Fire Safety and Prevention Education Program
 - a. Dave Forrest introduced the item. This is a continuation of an agreement that was made in March 2015.
 - i. The School District reimburses the City for overtime costs associated with providing fire safety education and the City provides the materials.
 - ii. This agreement is for calendar year 2016 which includes the spring semester of the 2015-2016 school years and the fall semester of the 2016-2017 school year.
 - b. Motion to approve by Cindy Wade; 2nd Karen White; Motion Approved by 3-0 vote
2. Recycling Dumpsters at Holiday Harbor and Brigham Hall
 - i. The item was removed from the agenda.
3. Discussion of Budget Options for 2016
 - a. Nancy presented a brief overview of the preliminary budget.
 - i. The preliminary budget includes:
 1. A 2.39% levy increase which is the maximum allowable per the New York State Tax Cap.
 2. The utilization of \$434,061 of fund balance.
 3. An increase in sale tax revenue by 3%
 4. Not filling a part time administrative position in the Police Department and a full time position in the Parks Department
 5. Removal of the Economic Development Outside Agency
 - b. Much of the discussion focused on the Economic Development funding.
 - i. The Chamber of Commerce was asked to provide a summary that defines the benefits achieved from the last three years of funding;
 - ii. The Committee would like to continue economic development in some fashion which may include performing work in-house, re-structure the contract with the Chamber, or utilizing the BID
 - c. The budget will be finalized by staff in October and provided to Council at the next Finance Committee meeting.
4. Overtime Report

APPENDIX B (Continued)

- a. Nancy provided the Committee with the overtime report coving a period from Jan 1st to Sept 11th
 - b. The Overtime for Special Events was discussed as well as the overtime in Water Distribution
5. Small Cell Technology
- a. Dave Forrest informed the committee that he is meeting with local firms that might be able to perform the same services that CMA has offered.
 - b. The Committee took a straw pool of Council members present whether they would like to move forward with CMA if the rate was negotiated and WiFi was provided for the City.
 - i. All members present approved
6. The Committee entered into Executive Session to discuss the personnel history of an employee

Meeting Adjourned at 8:46 PM